

Interview Summary

Application No.

10/030,468

Applicant(s)

CHASSOT ET AL.

Examiner

Eisa B Elhilo

Art Unit

1751

All participants (applicant, applicant's representative, PTO personnel):

(1) Eisa B Elhilo.

(3) _____.

(2) Michael Striker.

(4) _____.

Date of Interview: 26 August 2003.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____.

Claim(s) discussed: Claim 1.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner called the applicant's attorney and advised that the instant claims seems to be in a condition for allowance if claim 1 is changed or amended to delete the term NR5 as a definition of X and to provide a terminal disclaimer to overcome the rejection of double patenting that may be occurred based on the US Patent No. 6,592,631 B2. The attorney agreed to the examiner's advise and provided a proper Terminal Disclaimer.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

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Claims 11 to 20 are pending in this application.

DETAILED ACTION

1 The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

2 Misnumbered claims 1 to 10 been renumbered 11 to 20.

3 The terminal disclaimer filed on August 22, 2003 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of US Patent 6,592,631 B2 has been reviewed and is accepted. The terminal disclaimer has been recorded.

EXAMINER'S AMENDMENT

4 An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael J. Striker on August 26, 2003.

The application has been amended as follows:

In the claims:

In claim 1, line 13, replace “,” between oxygen and sulfur with --or-- and delete “or NR5”.

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In claim 1, delete lines 23 and 24.

5 Claims 11-20 are allowed.

STATEMENT OF REASONS FOR ALLOWANCE

6 The following is an examiner's statement of reasons for allowance:

The closest prior art of record (J. of Heter. Chem.) does not teach, disclose or suggest a dyeing composition comprising a developer of p-aminophenol compound of the claimed formula (I), wherein X denotes oxygen, sulfur or NR₅ group as claimed. Further, the prior art of record does not teach or disclose a compound of the claimed formula (I), in which X represents an oxygen or sulfur as claimed. Accordingly, the claimed subject matter as a whole would not have been obvious to one having ordinary skill in the art of hair dyeing formulations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eisa B Elhilo whose telephone number is (703) 305-0217. The examiner can normally be reached on M - F (7:30-5:00) with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (703) 308-4708. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

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Elhilo

August 24, 2003



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